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HON. PETER. C. LEWIS UNITED STATES MAGISTRATE JUDGE

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## AMMENDED PROBABLE CAUSE STATEMENT

I, Customs Border Protection Enforcement Officer Diana Contreras, declare under penalty of perjury, the following is true and correct:

On May 08, 2008, at approximately 10:20 P.M., Marisa Dalilah TORRES arrived at the Calexico, California, West Port of Entry, as the driver of a 1997 Pontiac Grand Prix.

During the primary inspection, TORRES gave a negative Customs declaration to the primary United States Customs and Border Protection Officer (CBPO) Albert Vasquez. TORRES stated that she was not bringing anything from Mexico. CBPO Vasquez asked TORRES to open the trunk. CBPO Vasquez noticed a discrepancy in the back seat area. CBPO Vasquez opted to escort the vehicle to the secondary lot for further inspection.

In secondary inspection United States Customs and Border Protection Officer (CBPO) Ernesto Pelayo asked TORRES for a declaration. TORRES stated she had a body at the back seat.

TORRES was taken to the Port Enforcement Team for further disposition.

TORRES was placed under arrest and advised of her rights per Miranda in the Spanish language by United States Customs and Border Protection Enforcement Officer (CBPOE) Diana Contreras and witnessed by CBPOE Margarita Haywood. TORRES said she understood her rights and would answer questions without an attorney present. TORRES stated that she had spoken to a friend that new someone that needs people to smuggle undocumented

"Jose", also know as "Chato", who needed someone to smuggle some people into the United States. TORRES stated she agreed and that she was going to get paid \$1000 to smuggle a person into the United States. TORRES also stated that she was going to drop off the undocumented alien at the Jack In The Box on Imperial Ave in Calexico, CA.

Material Witness Jose Alberto HERNANDEZ Medina stated that he is a citizen and national of Mexico with no legal entry documents to enter, reside or pass through the United States. HERNANDEZ Medina stated that his friend "Carlos" made the smuggling arrangements with an unknown man to have him smuggled into the United States illegally. HERNANDEZ Medina stated that his family was to pay \$2000 dollars to be smuggled into the United States and that his final destination was Los Angeles, California where he would seek employment. When presented with a photo line-up, HERNANDEZ Medina was unable to identify TORRES.

Material Witness Name: Country of Birth

Jose Alberto HERNANDEZ Medina MEXICO

Further, the complainant states that he believes said alien is a citizen of a country other than the United States; that said alien has admitted that he is deportable; that his testimony is material, that it is impracticable to secure his attendance at the trial by subpoena; and he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

1	UNITED STATES OF AMERICA
2	Marisa Delila TORRES
3 4 5	Executed on May 9, 2008, at approximately 02:10 P.M.
6	Enforcement Officer  Amuded
7	Facts presented in the Aprobable cause
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12	5/9/08 @ S:SY pm
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14	UNITED STATES MAGISTRATE JUDGE
15	5/11/25 pm
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17	CATHY ANN BENCIVENGO
18	U.S. MAGISTRATE JUDGE
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